

Serial No.: 10/603,506
Amendment and Response to Office Action
Reply to Office Action of May 19, 2004

Attorney Docket No.: 33997.0085

Remarks

Favorable action on the above-identified patent application, as amended herein, is respectfully requested.

This Amendment is in response to the Office Action dated May 19, 2004. Claims 2-7 are pending. Claims 1 and 8-11 are canceled herein. Claims 2 and 4 are rewritten in independent form. Claims 3 and 5-7 are amended herein. Of the claims, only claims 2 and 4 are independent. No new subject matter has been added to the application.

The specification is amended herein at paragraph [0023] to more clearly define trunnion 9, as per the Examiner's suggestion. No new matter has been added.

In the Office Action, the Examiner rejected claims 6, 7, 10 and 11 under 35 U.S.C. 112, second paragraph, as being indefinite. In response, claims 10 and 11 are canceled herein and claims 6 and 7 are rewritten to further clarify the invention. Specifically, claims 6 and 7 are amended to substitute the term "stand" with --apparatus-- as per the Examiner's suggestion. Claims 6 and 7 are also amended to provide proper antecedent basis for "a trunnion 9". No new matter has been added. Accordingly, it is believed that the amended claims now conform to 35 USC 112, second paragraph, and therefore withdrawal of this rejection is respectfully requested.

In the Office Action, the Examiner rejected claims 1, 3, 9 and 11 under 35 U.S.C. 102(b) as being anticipated by Metelski (U.S. 6,364,268). Claims 1, 9 and 10 are canceled herein rendering the rejection moot. As for claim 3, the Examiner states that the element 11a in Fig. 6 of Metelski corresponds to the column (2) of claim 3. However, Metelski discloses that elements 11a and 11b are portions of support arm 9. See column 6, line 42-45, as well as other locations. Furthermore, Metelski discloses support arm element 11b is mounted to a shaft 30 (see column 7, lines 46-48). Therefore, the support arm element 11a or 11b does not correspond to the column (2) of the present invention. Therefore, Metelski does not anticipate or suggest the invention of claim 3. Furthermore, claim 3 depends from amended claim 2. As claim 2 was not

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rejected, it is submitted that claim 3 is not anticipated by or rendered obvious by the prior art. It is respectfully submitted that the rejection of the claims under 35 U.S.C. 102(b) be withdrawn.

The Examiner has rejected claim 8 and 10 under 35 U.S.C. 103(a) as being unpatentable over Metelski (US 6,364,268) in view of Metelski (US Publication 2002/0185583). Claims 8 and 10 are canceled herein rendering the rejection moot. It is respectfully submitted that the rejection of the claims under 35 U.S.C. 103(a) be withdrawn.

In the Office Action, the Examiner indicated that claims 4 and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. In this regard, claim 4 is rewritten in independent form including the limitations of base claim 1 and intervening claim 3. Claim 5, which depends from claim 4, is amended with consideration of the informalities noted in the Office Action.

The Examiner also indicated that claims 6 and 7 would be allowable if rewritten to overcome the rejection under 35 U.S.C. 112, second paragraph, and including all of the limitations of the base claim and any intervening claims. Accordingly, claims 6 and 7, which depend from claims 4 and 5, respectively, are amended with consideration of the informalities noted in the Office Action.

It is therefore respectfully submitted that claims 2-7 are in condition for allowance.

In view of the forgoing, it is respectfully submitted that a full and complete response to the Office Action has been made. Early and favorable action is respectfully requested. If the Examiner has any further questions or comments, the Examiner is invited to contact the Applicants' undersigned attorney/agent.

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It is believed that no fee is due with this Amendment. However, if any fees are occasioned by this Amendment, the Commissioner is hereby authorized to charge them to Deposit Account 08-2442 of the undersigned.

Respectfully submitted,
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